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Republic of Azerbaijan

Head of state: **Ilham Aliyev**

Head of government: **Artur Rasizade**

Authorities intensified the crackdown on the right to freedom of expression, particularly following revelations of large-scale political corruption. Independent news outlets were blocked and their owners arrested. Critics of the government continued to face politically motivated prosecution and imprisonment following unfair trials. LGBTI individuals were arbitrarily arrested and ill-treated. Suspicious deaths in custody were still not effectively investigated.

BACKGROUND

In July, renewed hostilities in the breakaway region of Nagorno-Karabakh resulted in the death of at least two ethnic Azerbaijani civilians, including a minor, following shelling by the Armenian-backed forces.

Azerbaijan received international attention following a report by the Organized Crime and Corruption Reporting Project, published in September, which accused members of Azerbaijan's political elite of operating a large international money laundering scheme. Part of the money was allegedly used to pay European politicians to help whitewash Azerbaijan's human rights reputation, among other things. On 11 October, the Parliamentary Assembly of the Council of Europe (PACE) adopted two critical resolutions on Azerbaijan following allegations that some members of the PACE had benefited from the money laundering scheme.

On 5 December, the Committee of Ministers of the Council of Europe triggered infringement proceedings against Azerbaijan under Article 46.4 of the European Convention on Human Rights. This followed its repeated failure to implement the decision of the European Court of Human Rights (ECtHR) in the case of opposition leader Ilgar Mammadov to immediately release him; he had been arbitrarily detained since 2013.

The EU and Azerbaijan proceeded with negotiations over a new strategic partnership agreement to deepen their economic relationship. In October, the European Bank for Reconstruction and Development (EBRD) approved a USD500 million loan for the construction of a government-owned gas pipeline. This was despite Azerbaijan's suspension from the EBRD-endorsed international oil and gas transparency initiative in March 2017, due to its repression of civil society.

FREEDOM OF ASSOCIATION

Leading human rights organizations remained unable to resume their work. The authorities continued using restrictive regulations and arbitrary prosecution to close down the few remaining critical organizations.

On 2 May, Aziz Orujev, head of the independent online TV channel Kanal 13, was arrested by a police officer who claimed he looked like a wanted fugitive and remanded him to 30 days of administrative detention for purportedly disobeying police orders. On the day of his release, Aziz Orujev was remanded on fabricated charges of illegal entrepreneurship and abuse of office, and ordered to pre-trial detention. On 15 December Baku Court on Grave Crimes sentenced him to six years' imprisonment.

In August, the prosecution opened an investigation into Azerbaijan's only remaining independent news agency, Turan, and arrested its director, Mehman Aliyev, on fabricated charges of illegal entrepreneurship. Following international pressure, Mehman Aliyev was transferred to house arrest on 11 September. On 2 November, the prosecution dropped the charges against him and closed the investigation against Turan.

FREEDOM OF EXPRESSION

All mainstream media remained under effective government control, with independent media outlets facing undue restrictions and media workers facing harassment. Access to opposition newspaper websites was blocked.

Radio Azadliq (Radio Free Europe/Radio Liberty Azerbaijani service), Meydan TV, and Azerbaijan SAATI, remained blocked following a claim by the prosecutor's office that they posed a threat to national security. On 12 May, a court in the capital, Baku, ruled in favour of keeping the websites blocked.

PROSECUTION OF CRITICS

The authorities continued to arbitrarily arrest and detain independent journalists and bloggers. According to Azerbaijani human rights defenders more than 150 people remained in prison on politically motivated charges, and the number of such cases continued to grow.

On 9 January, police officers detained and held blogger Mehman Huseynov overnight in incommunicado detention. He reported that he was beaten by the police and subjected to electric shocks while in custody. On 3 March, a court in Baku sentenced him to two years in prison for "defaming" police officers.

On 12 January, Afgan Sadygov, a journalist and blogger from Jalilabad District, was sentenced to two and a half years in prison. He was prosecuted under hooliganism charges, after writing about government corruption and refusing to remove his articles from the internet.

On 14 June, Fikret Faramazoglu, editor of the independent news website Journalistic Research Centre, was sentenced to seven years in prison and banned from his profession for a further two

years. He had been detained on 30 June 2016 for allegedly extorting money from a restaurant owner, charges that he denied.

FORCIBLE RETURNS

The authorities intensified their clampdown on critics who had fled the country, and unlawfully transferred many of them back to Azerbaijan and harassed their families.

Investigative journalist Afgan Mukhtarli was abducted in Tbilisi, the capital of Georgia, on 29 May, and reappeared in the custody of Azerbaijani border police the following day. He said he had been abducted and trafficked across the border by security services, who accused him of a range of offences including smuggling. He remained in detention and his trial was ongoing at the end of the year.

Russian-Israeli-Ukrainian blogger Aleksandr Lapshin, who published critical posts on the situation in Azerbaijan's breakaway Nagorno-Karabakh region, was arrested in Belarus, and extradited to Azerbaijan in February. In July, a court in Baku sentenced him to three years in prison for entering the breakaway region illegally. He was released on 11 September after a presidential pardon.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

On 22 September, more than 100 LGBTI individuals were rounded up by the police in public spaces and detained. Some were released, but at least 48 were sentenced to administrative detention, ranging from 10 to 20 days. They were accused of "resisting police's legitimate orders", and found guilty on the basis of police officers' allegations, without any further evidence. The summary hearings fell short of international trial standards. The detainees said they had been beaten by the police and subjected to other ill-treatment while in custody. All were released on 2 October.

UNFAIR TRIALS

Unfair trials were commonplace, particularly in politically motivated proceedings, during which suspects were typically detained and charged without access to a lawyer of their choice. Police continued using torture and other ill-treatment to extract forced confessions which were later used by judges as incriminating evidence. Allegations of torture and other ill-treatment were not effectively investigated.

On 25 January, the Baku Serious Crimes Court sentenced 18 men associated with the Shi'ite Muslim Unity Movement (MUM) in Nardaran to lengthy prison terms. Their trial did not meet international standards of fairness and was marred by numerous torture allegations. During the trial, the defendants complained of having been tortured into signing confessions. Witnesses called by the prosecution also said that they had been threatened by police into incriminating MUM defendants. The forced testimonies were admitted by court and used by the prosecution throughout the trial.

Elgiz Garhaman, a NIDA Youth movement activist, was sentenced to five and a half years in prison on fabricated drug-related charges following an unfair trial. He was denied access to lawyers of his choice, and kept incommunicado for a week following his detention. During the trial, he told the judge the police had beaten, threatened and humiliated him into signing a confession. The judge refused to order an investigation into his allegations, dismissing them as groundless.

On 1 December, the amendments to the Code of Civil and Administrative Procedure excluded lawyers without Bar Association (Collegium of Lawyers) membership from court proceedings.

DEATHS IN CUSTODY

The authorities repeatedly failed to promptly and effectively investigate reported deaths in custody.

On 4 May, the ECtHR ruled that the Azerbaijani government violated the right to life of Mahir Mustafayev for its failure to protect his life while in custody and to conduct an effective investigation into the circumstances of his death. Mahir Mustafayev died from his burns caused by a fire in his cell in December 2006.

On 28 April, activist and blogger Mehman Qalandarov was found hanged in his prison cell in Kurdakhani. Police arrested him on drug-related charges for his Facebook posts in support of two other activists who had been arrested for spraying political graffiti. According to local human rights defenders, Mehman Qalandarov had been tortured and was buried in secret to conceal the evidence. The prison administration announced his death on 29 April, and an investigation was ongoing at the end of the year.

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